

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:23-CV-862

Democratic National Committee; North  
Carolina Democratic Party,

Plaintiffs,

v.

North Carolina State Board of Elections;  
Karen Brinson Bell, *in her official capacity  
as Executive Director of the North  
Carolina State Board of Elections*; Alan  
Hirsch, *in his official capacity as Chair of  
the North Carolina State Board of  
Elections*; Jeff Carmon, *in his official  
capacity as Secretary of the North  
Carolina State Board of Elections*; and  
Stacy Eggers IV, Kevin N. Lewis, and  
Siobhan O'Duffy Millen, *in their official  
capacities as members of the North  
Carolina State Board of Elections*,

Defendants.

**PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION  
(Fed R. Civ. P. 65)**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, plaintiffs—the Democratic National Committee and the North Carolina Democratic Party—move for a preliminary injunction enjoining defendants, their agents, successors in office, and all persons acting in concert with them from enforcing certain provisions of Senate Bill 747, recently enacted by the North Carolina General Assembly. In support of this motion,

plaintiffs have filed a brief setting out the grounds for the requested injunction, which plaintiffs incorporate here by reference.

Under Local Rules 7.3(c)(1) and 65.1(b), plaintiffs request oral argument on the motion, given the importance of the issues it raises.

WHEREFORE, plaintiffs request that the Court grant the motion and enjoin defendants, their agents, successors in office, and all persons acting in concert with them from doing any of the following:

- (1) requiring same-day registrants (i.e., voters who seek to register and vote on the same day, prior to election day) to produce documentation that other registrants need not produce;
- (2) denying a same-day registrant's application to register without providing that individual with sufficient notice and a meaningful opportunity to be heard;
- (3) rejecting a same-day registrant's application to register based on the return of a single notice as undeliverable by the U.S. Postal Service;
- (4) applying different voting-registration standards, practices, or procedures to different individuals in the same county; and
- (5) failing to provide a free-access system by which same-day registrants can track their retrievable ballots.

Plaintiffs respectfully request that the Court waive the security requirement in Rule 65(c) of the Federal Rules of Civil Procedure.

October 10, 2023

Respectfully submitted,

/s/ William A. Robertson

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\* Local Rule 83.1(d) special  
appearance forthcoming.

## CERTIFICATE OF SERVICE

I certify that the foregoing document will be served together with Defendants' summonses and complaint via Federal Express, delivery confirmation requested, on defendants' counsel, at the following addresses:

Sarah Boyce, Deputy Attorney General and General Counsel  
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This 10<sup>th</sup> day of October, 2023.

/s/ William A. Robertson

William A. Robertson